

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 9th DAY OF APRIL 2007, AT 7:00 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Steve L. Spradlin	-Chair
	Mary W. Biggs	-Vice Chair
	Gary D. Creed	-Supervisors
	Doug Marrs	
	John A. Muffo	
	Annette S. Perkins	
	B. Clayton Goodman, III	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	T.C. Powers	-Planning Director
	Angie Hill	-Financial & Management Services Director
	Karen Edmonds	-Human Resources Director
	Marc Mcgrudger	-Budget Manager
	Vickie L. Swinney	-Secretary, Board of Supervisors
ABSENT:	James D. Politis	-Supervisor

CALL TO ORDER

The Chair called the meeting to order.

INTO CLOSED MEETING

On a motion by Mary W. Biggs, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

- | | | |
|------------------|-----|---|
| Section 2.2-3711 | (3) | Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiation Strategy of the Public Body |
| | | 1. Flex- Space RFP |
| | | 2. Falling Branch Corporate Park |

- (5) Discussion Concerning A Prospective Business Or Industry Or The Expansion Of An Existing Business Or Industry Where No Previous Announcement Has Been Made Of The Business= Or Industry's Interest In Locating Or Expanding Its Facilities In The Community.

1. Project # 2007010

- (1) Discussion , Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

1. Parks & Recreation Commission

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	James D. Politis
Doug Marrs		
Gary D. Creed		
Annette S. Perkins		
John A. Muffo		
Steve L. Spradlin		

OUT OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Doug Marrs	None	James D. Politis
Gary D. Creed		
Annette S. Perkins		
John A. Muffo		
Mary W. Biggs		
Steve L. Spradlin		

CERTIFICATION OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by John A. Muffo and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

Gary D. Creed
Annette S. Perkins
John A. Muffo
Mary W. Biggs
Doug Marrs
Steve L. Spradlin

NAYS

None

ABSENT DURING VOTE

James D. Politis

ABSENT DURING MEETING

James D. Politis

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PRESENTATION OF RESOLUTION OF APPRECIATION - ROSALIE B. PAIGE – ELECTORAL BOARD

Chair Spradlin presented a Resolution of Appreciation to Rosalie B. Paige, who served on the Montgomery County Electoral Board from March 1, 2001 until February 28, 2007.

Virginia Department of Transportation (VDOT)

David Clarke, VDOT's Residency Administrator, provided an update on road issues in Montgomery County. Mr. Clarke reported that the transportation bill was passed in the General Assembly. The details are yet to be worked out and all information when received will be forwarded to the Board of Supervisors.

Mr. Clarke reported that during the recent inclement weather that produced a large amount of rain caused damaged to Merrimac, Jennelle Road, and Yellow Sulphur Road areas. He expressed appreciation to the Sheriff's Department for their help, as several roads had to be closed to thru traffic. VDOT is still cleaning up from this rain.

Mr. Clarke reported that the work on Pollard Road (SR 644) is underway and the preliminary work is underway for Stroubles Creek Road (SR 619). Guardrails have been installed on McCoy Road, Wayside, and Den Hill Road.

The maintenance for interstate roads has been contracted out and will no longer be maintained by VDOT. The area includes 460 Bypass, Interstate 81 and 581 in Roanoke.

Mr. Clarke expressed his appreciation to volunteers from Virginia Tech, who sponsor an annual volunteer project called the "The Big Event". They helped clean up the roadways along the 460 Bypass near the Peppers Ferry interchange and Cinnabar Road. They picked up 50 large trash bags of garbage along the roadside.

Supervisor Perkins asked for an update on Craig Creek Road (SR 621). Mr. Clarke reported the environmental study is underway.

Supervisor Creed asked if the bridge located on 114, which is closed due to needed repairs, is being paid from Montgomery County or Pulaski County funds. Mr. Clarke responded that the bridge is located in both Montgomery County and Pulaski County; however, the funds will be taken from the Salem District's Primary Fund, therefore there is no difference as Montgomery County and Pulaski County is in the same district. Mr. Clark also stated that when there is a secondary road project where the road falls in two counties, the cost is shared between the two counties.

Supervisor Spradlin asked if they could see the repairs to the 114 Bridge any time soon. Mr. Clarke responded that no funding has been identified in the Primary Fund in the next six years.

Meadowbrook Community Center

Michael Hemphill, Mountain Valley Charitable Foundation, provided an update on the Meadowbrook Community Center. Mr. Hemphill reported on Friday, April 13, 2007, they will dedicate the Waldron Family YMCA, the Roanoke Times Recreation Center, and the community facility all located in the Meadowbrook Community Center. The Meadowbrook Center is part of an effort to improve the social, economic and physical health of the community. The Mountain Valley Charitable Foundation raised a total of \$1.5 million in private funds in order to make this happen. Mr. Hemphill thanked the Board for their support and leadership.

Montgomery County Extension Office

Michelle Adcock presented an update on the Montgomery County Extension program. Ms. Adcock reported the Montgomery County 4-H provided the following programs in the last three months:

- After-School Program with 173 children enrolled at 10 Elementary and 1 Middle School
- Home Skills Survivor Workshop
- Vet Science Workshop
- Montgomery County 4-H Fair Planning
- School Programs

Barry Robinson, Montgomery County Horticulture Extension Agent, presented several highlights for January – March 2007. The local Master Gardner volunteers are contributing articles to the NRV Magazine and making presentations to the AARP of Blacksburg and the Newcomers Club of Blacksburg on various extension programs.

The Horticulture Extension Agent assisted with two growers meetings (Virginia Christmas Tree Growers and the Virginia Pumpkin Growers); served on team for Ag. Field Day at Kentland Farm; Hosted USDA-NRCS Soil Quality program; serving on team for Agri-Tourism promotion and training in Southwest Virginia; serving on team for Green Home Seminar and Home Tours at YMCA; working with local Farmer's Markets on expanding market potential and visibility; and co-sponsoring and coordinating How-to-Clinics for upcoming 4th Annual Blacksburg Flower and Garden Festival.

Montgomery County Sheriff's Department

Sheriff Tommy Whitt made a presentation regarding department compensation issues. Sheriff Whitt spoke in support of the proposed employee compensation plan presented in the proposed FY 2007-2008 Budget. Sheriff Whitt provided information on the disparity in salaries for the sheriff deputies compared to other law enforcement agencies within the New River Valley. He reported that the salary disparity is progressively reaching a critical state. Historically, Montgomery County has lost the majority of law enforcement employees to the Town of Blacksburg, Town of Christiansburg, and Virginia Tech. Once an employee is trained, they leave for better paying jobs. Sheriff Whitt stated he does not want to see Montgomery County become a training ground again for other area agencies.

Over the past few years, the Montgomery County Sheriff's Office has developed an experienced staff of law enforcement and correctional professionals. Well trained deputies provide a high level of expertise and stability in the area of public safety and corrections. By retaining experienced deputies, the Sheriff's Office effectively improves the safety of county citizens. Montgomery County can no longer afford to lose valuable personnel to agencies within the County.

Sheriff Whitt provided the following salary comparisons:

Starting Salaries	Montgomery County	Blacksburg	Christiansburg	Virginia Tech
Law Enforcement	\$29,437	\$30,500	\$32,982	\$30,000
Dispatcher	\$24,218	\$25,550	\$26,292	\$24,000

5 Years Service	Montgomery County	Blacksburg	Christiansburg	Virginia Tech
Law Enforcement	\$31,634	\$37,692	\$42,507	\$36,300
Dispatcher	\$26,638	\$28,165	\$33,550	\$29,040

Sheriff Whitt expressed his appreciation for the Board's support of the Sheriff's Office and their hard decisions regarding employee compensation and retention.

PUBLIC ADDRESS

Taiya Shiner addressed the Board on behalf of the Human Relations Council. Ms. Shiner asked the Board for their continued support and asked that their budget request be approved. She stated the Human Relations Council's primary goal is outreach and community relations. Ms. Shiner thanked the Board for their support in the past years and their continued support.

John Simon spoke in support of the rezoning request and special use permit by PKW, LLC (Sharon Harrell) for a Dog Training and Day Care Center. He stated only half of the site will be developed and will have a heavy vegetation buffer around the site. He believes the noise issues will not be a problem, as the site sets in a bowl and will catch the sound. He believes this business proposal will be an asset to the County and surrounding localities. The Montgomery County Planning Commission recommended approval and urged the Board to look at the big picture and consider approving this request. Mr. Simon also spoke in support of the Montgomery County Sheriff's Office and their need for increased compensation.

Charlie Bowles stated he is not in favor of how Norfolk Southern is handling the process for the proposed Intermodal Facility. He believes there is a potential site near the new Western Virginia Regional Jail that would be more suitable than the Elliston site. Mr. Bowles also expressed his dissatisfaction regarding the County's method in acquiring a potential school site for the Elliston-Lafayette Elementary School with the potential means of using eminent domain.

Joyce Jewell, Don Apgar, Faythe Rittenhouse, Shireen Parsons, Richard Rittenhouse, Joy Burroughs, Ben Southard, Charles Davis, Jim Gregory, Meredith Novak, Margret Palmer, Mickey Apgar, Fred Apgar, Larry Lefler, and Dan Burroughs addressed the Board regarding their opposition to the proposed Norfolk Southern Intermodal Facility. They urged the Board to start the process now to ban Norfolk Southern from using eminent domain to take their land for an intermodal facility. They urged the Board to adopt the proposed ordinance submitted by the Citizens for the Preservation of Our Countryside banning private corporations from using eminent domain.

There being no further speakers, the public address session was closed.

CONSENT AGENDA

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously, the Consent Agenda dated April 9, 2007 was approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	James D. Politis
John A. Muffo		
Mary W. Biggs		
Doug Marrs		
Gary D. Creed		
Steve L. Spradlin		

Approval of Minutes

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously, the minutes dated January 22, 2007 and February 12, 2007 were approved.

A-FY-07-100 GENERAL SERVICES WHITETHORNE BOAT LANDING LIGHTING

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007 for the function and in the amount as follows:

400	General Services	\$13,200
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

451203	Undesignated Fund Balance	\$13,200
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Said resolution appropriates fund balance to cover the cost of installing lighting at the Whitethorne Boat Landing.

**A- FY-07-101
SHERIFF
GRANT APPROPRIATION**

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007 for the function and in the amount as follows:

321	Sheriff Gants	\$2,614
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The sources of the funds for the foregoing appropriation are as follows:

Revenue Account

434401	Federal Grants	\$2,353
451203	Undesignated Fund Balance	<u>261</u>
	Total	\$2,614

Said resolution appropriates monies from a federal Byrne Justice Assistance Grant.

**A-FY-07-102
SHERIFF
SUPPLEMENTAL APPROPRIATION**

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007, for the function and in the amount as follows:

310	Sheriff – Comp Board	\$3,468
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

423100	Shared Expenses	\$3,468
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Said resolution appropriates Compensation Board revenue for the purchase of computer equipment.

A-FY-07-103
SHERIFF DEPARTMENT
TRANSFER FROM SHERIFF COMP BOARD
TO SHERIFF COUNTY

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

FROM:

310 Sheriff – Comp Board (\$37,748)

TO:

320 Sheriff - County \$37,748

Said resolution transfers appropriated funds from the Sheriff's Comp Board budget to the Sheriff's County budget.

A-FY-07-104
RSVP FUND RAISING

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007, for the function and in the amount as follows:

520 Human Services \$3,172

The source of the funds for the foregoing appropriation is as follows:

Revenue Account

25202-419108 Recovered Costs \$ 3,172

Said resolution appropriates donations and fundraising monies for use by RSVP.

A-F7-07-105
FIRE FUND ALLOCATION

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007 for the function and in the amount as follows:

23311 Fire Program Fund Distribution \$65,749

The source of the funds for the foregoing appropriation is as follows:

Revenue Account

424401 Fire Program Fund Distribution \$65,749

Said resolution appropriates funds received from the Fire Program Fund for use by volunteer fire departments.

**R-FY-07-155
ZONING ADMINISTRATOR
APPOINTMENT**

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby appoints Dari S. Jenkins as Zoning Administrator for the purposes of carrying out the responsibilities of administering the Montgomery County Zoning Ordinance.

**R-FY-07-156
HOME CONSORTIUM
APPOINTMENTS**

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints the Montgomery County Administrator and the Blacksburg Town Manager to the Board of the New River Valley Home Consortium effective April 9, 2007 and expiring December 31, 2007.

BE IT FURTHER RESOLVED, That the Montgomery County Comprehensive Planner is appointed to serve as alternate to the Montgomery County Administrator and the Blacksburg Deputy Town Manager is appointed to serve as alternate for the Blacksburg Town Manager effective April 9, 2007 and expiring December 31, 2007.

R-FY-07-157
REQUEST TO NAME PRIVATE ROAD
DOUBLETREE LANE

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, There are three property owners on a private road located off Prices Fork Road (SR 685) who have petitioned the county to name this road Doubletree Lane; and

WHEREAS, Doubletree Lane complies with the County Street Name Policy.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia, that after duly considering said request, the Board hereby approves the use of the name Doubletree Lane.

OLD BUSINESS

ORD-FY-07-26
AN ORDINANCE AMENDING THE ZONING CLASSIFICATION
OF APPROXIMATELY 6.392 ACRES
IN THE MT. TABOR MAGISTERIAL DISTRICT
LOCATED AT 1776 MT. TABOR ROAD (SR 624)
IDENTIFIED AS TAX MAP PARCEL NO. 28-A-40A (ACCT # 035843)
FROM AGRICULTURE (A-1) TO RURAL RESIDENTIAL (R-R)
STEPHEN & SUZANNE MCMURRAY

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice, and therefore the zoning classification of that certain tracts or parcels of land consisting of 6.392 acres of land is hereby amended and rezoned from the zoning classification of Agriculture (A-1) to Rural Residential (R-R).

This action was commenced upon the application of Stephen and Suzanne McMurray.

The property is located at 1776 Mt. Tabor Road (SR 624) and is identified as Tax Parcel No. 28-A-40A (Acct #035843) in the Mt. Tabor Magisterial District (District A). The property currently lies in an area designated as Residential Transition in the Comprehensive Plan.

This ordinance shall take effect upon adoption.

The vote on the foregoing ordinance was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	James D. Politis
Mary W. Biggs		
Doug Marrs		
Gary D. Creed		
Annette S. Perkins		
Steve L. Spradlin		

R-FY-07-158
THE REQUEST AMENDING THE ZONING CLASSIFICATION
OF APPROXIMATELY 7 ACRES
IN THE SHAWSVILLE MAGISTERIAL DISTRICT
LOCATED ON THE SOUTH SIDE OF CINNABAR ROAD
APPROXIMATELY 500 FEET WEST
OF THE CINNABAR ROAD AND AURORA LANE INTERSECTION
IDENTIFIED AS TAX MAP PARCEL NO. 67-9-3 (ACCT # 023536)
FROM RESIDENTIAL MULTI-FAMILY (RM-1) TO COMMUNITY BUSINESS (CB)
PKW,LLC (SHARON A. HARRELL)
DENIED

On a motion for denial by Doug Marrs, seconded by Mary W. Biggs and carried,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning of certain tracts or parcels of land consisting of approximately 7 acres of land identified as Tax Parcel No. 67-9-3 (Acct #023536) in the Shawsville Magisterial District (District B) from Residential Multi-Family (RM-1) to Community Business is not in compliance with the Comprehensive Plan and does not meet the requirement for public necessity, convenience, general welfare and good zoning practice, and is hereby denied:

This action was commenced upon the application of PKW, LLC (Agent: Sharon A. Harrell).

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	John A. Muffo	James D. Politis
Gary D. Creed		
Annette S. Perkins		
Doug Marrs		
Steve L. Spradlin		

**R-FY-07-159
SPECIAL USE PERMIT
PKW, LLC (AGENT: SHARON A. HARRELL)
FOR THE PURPOSE OF LOCATING A COMMERCIAL KENNEL
ON THE SOUTH SIDE OF CINNIBAR
PPROXIMATELY 500 FEET WEST OF THE
CINNABAR ROAD AND AURORA LANE INTERSECTION
IN THE SHAWSVILLE MAGISTERIAL DISTRICT
PARCEL ID # 023536, TAX MAP NUMBER 67-9-3
DENIED**

On a motion for denial by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the PKW, LLC (Agent: Sharon A. Harrell) request for a special use permit to allow a commercial kennel located on the south side of Cinnabar Road approximately 500 feet west of the Cinnabar Road and Aurora Lane intersection and is identified as Tax Parcel No. 67-9-3 (Acct # 023536) in the Shawsville Magisterial District (District B) is hereby denied.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	James D. Politis
Gary D. Creed		
Annette S. Perkins		
John A. Muffo		
Doug Marrs		
Steve L. Spradlin		

Supervisor Biggs commented that she is in favor of the business plan for a dog training and dog day care center. She believes that this type of facility is needed in the County; however, the proposed site Ms. Harrell had chosen was not a suitable location. Supervisor Biggs asked if the County would work with Ms. Harrell in finding a suitable location.

Supervisor Creed and Supervisor Muffo oppose this idea stating that it is not the County's position to find business sites for people.

Supervisor Spradlin commented that this would be an extension of the Economic Development Department, as they work with businesses/industries in finding locations within the County.

The majority of the Board directed the County Administrator to request the Economic Development Department to work with Sharon Harrell to help find a suitable business location for her proposed dog training and dog day care center.

R-FY-07-160
A RESOLUTION REQUESTING THE GOVERNOR,
THE SECRETARY OF TRANSPORTATION,
THE DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION
AND THE COMMONWEALTH TRANSPORTATION BOARD
TO NOT SELECT THE ELLISTON SITE FOR
THE LOCATION OF THE ROANOKE REGION INTERMODAL SITE OR
AGREE TO PUBLICLY FUND THE DEVELOPMENT OF
THE INTERMODAL SITE IN THE ELLISTON COMMUNITY

On a motion by Mary W. Biggs, seconded by Gary D. Creed and carried unanimously,

WHEREAS, On March 26, 2007, a representative from the Virginia Department of Rail and Public Transportation (“DRPT”) appeared before the Board of Supervisors to receive public comment and feedback as part of the DRPT evaluation of the ten (10) identified potential intermodal sites in the Roanoke Region, of which the Elliston site is one of the identified sites; and

WHEREAS, On September 25, 2006, the Board of Supervisors adopted a Resolution (“September 25, 2006, Resolution”) opposing the Intermodal Facility locating in the Elliston Community of Montgomery County, Virginia. The Board of Supervisors opposed the intermodal facility locating in Elliston because the Facility would not comply with the County’s 2025 Comprehensive Plan, the Facility would have a negative environmental impact on the Roanoke River and the surrounding rural area, and the Facility would greatly increase truck traffic traveling in and through the Villages of Shawsville, Elliston and Lafayette to and from the proposed Intermodal Facility which would not be compatible with the rural residential character of these Villages; and

WHEREAS, On October 23, 2006, the Board of Supervisors adopted a Resolution (“October 23, 2006, Resolution”) requesting the Governor and the Virginia General Assembly to oppose the Commonwealth of Virginia providing State funding to Norfolk Southern to develop an Intermodal Facility in the Elliston Community of Montgomery County, Virginia; and

WHEREAS, In the October 23, 2006, Resolution the Board of Supervisors respectfully requested the Governor to consider the Board of Supervisors opposition to the Intermodal Facility locating in the Elliston Community and further requested the Governor to publicly communicate to the Board of Supervisors and residents of the Elliston Community within ninety (90) days of the date of the October 23, 2006 Resolution whether the Governor opposed the proposed funding of the Intermodal Facility in the Elliston Community where the local governing body and the residents of that Community strongly oppose the Facility locating in the Community and as of this date the Board has not received a response; and

WHEREAS, The Board of Supervisors and the citizens of Eastern Montgomery County remain strongly opposed to the Intermodal Facility locating in the Elliston Community for the reasons stated in the September 25, 2006, and October 23, 2006 Resolutions which are attached and made a part of this Resolution by reference and request that the Governor of Virginia oppose the Intermodal Facility locating in the Elliston Community; and

WHEREAS, The Board of Supervisors and the citizens of the Elliston Community and surrounding areas remain strongly opposed to the Commonwealth of Virginia providing public tax dollars to assist Norfolk Southern in acquiring land and constructing the Intermodal Facility when the Intermodal Facility is strongly opposed by the local Board of Supervisors and by the citizens who live in and around the area where the Intermodal Facility is proposed; and

WHEREAS, The Board of Supervisors and citizens of the Elliston Community and surrounding areas respectfully request the Governor, the Secretary of Transportation, the Department of Rail and Public Transportation and the Commonwealth Transportation Board to consider the Board's September 25, 2006, and October 23, 2006 Resolutions strongly opposing the Intermodal Facility locating in the Elliston Community and NOT select the Elliston site for the location of the Roanoke Region Intermodal Facility; and

WHEREAS, The Board of Supervisors and citizens of the Elliston Community and surrounding areas respectfully request that the Governor, the Secretary of Transportation, the Department of Rail and Public Transportation, and the Commonwealth Transportation Board consider the Board's September 25, 2006, and October 23, 2006 Resolutions strongly opposing the Intermodal Facility locating in the Elliston Community and NOT AGREE to fund with public tax dollars the development of the Norfolk Southern Intermodal Facility in the Elliston area of Montgomery County.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby respectfully requests the Governor, the Secretary of Transportation, the Department of Rail and Public Transportation and the Commonwealth Transportation Board to NOT select the Elliston site for the location of the Roanoke Region Intermodal Facility.

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors further respectfully requests the Governor, the Secretary of Transportation, the Department of Rail and Public Transportation and the Commonwealth Transportation Board to NOT AGREE to fund with public tax dollars the development of the Norfolk Southern Intermodal Facility in the Elliston area of Montgomery County, Virginia when the local Board of Supervisors and the Community of Elliston and surrounding areas so strongly oppose the Facility being built in the Community.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	James D. Politis
John A. Muffo		
Doug Marrs		
Mary W. Biggs		
Gary D. Creed		
Steve L. Spradlin		

NEW BUSINESS

R-FY-07-161 RESOLUTION OF APPRECIATION MONTGOMERY REGIONAL ECONOMIC DEVELOPMENT COMMISSION ARCHIE PHLEGAR

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, Archie Phlegar has faithfully served on the Montgomery Regional Economic Development Commission as a non-elected representative for the Town of Blacksburg since February 23, 1998; and

WHEREAS, The County recognizes the excellent and dedicated service that ***Archie Phlegar*** has rendered the citizens of Blacksburg and Montgomery County.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, extends a unanimous vote of appreciation and gratitude to ***Archie Phlegar***.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to ***Archie Phlegar*** and that a copy be made a part of the official Minutes of Montgomery County.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	James D. Politis
Doug Marrs		
Mary W. Biggs		
Gary D. Creed		
Annette S. Perkins		
Steve L. Spradlin		

INTO WORK SESSION

On a motion by John A. Muffo, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. FY 2007-2008 Proposed Budget
Discussion of dates for future work sessions, final date to set tax rate, and any additional information necessary.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Doug Marrs	None	James D. Politis
Mary W. Biggs		
Gary D. Creed		
Annette S. Perkins		
John A. Muffo		
Steve L. Spradlin		

FY 2007-2008 Proposed Budget

The County Administrator reported that based on the FY 08 budget calendar, the Board is scheduled to adopt the tax rate and budget by April 16, 2007. The adoption of the budget for education must occur by May 1 or 30 days following the receipt of estimates of state funds, whichever is later. Also, the deadline for first part tax payments is June 5. The Treasurer's Office generally mails tax bills by May 5 in order for taxpayers to receive them at least 30 days prior to the deadline. Prior to issuance of the tax bills, there are several weeks of processing in the Commissioner of Revenue's Office to generate the land book and in the Treasurer's Office to generate the tax bills. The County Administrator recommended scheduling a work session for April 16, 2007.

Following discussion of the proposed FY 2007-2008 budget and potential tax rate, the Board scheduled a budget work session for Monday, April 16, 2007 at 7:30 p.m.

OUT OF WORK SESSION

On a motion by Gary D. Creed, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	James D. Politis
Gary D. Creed		
Annette S. Perkins		
John A. Muffo		
Doug Marrs		
Steve L. Spradlin		

COUNTY ADMINISTRATOR'S REPORT

Sheriff's Request for Additional Funding to Outsource Inmates to other Jail Facilities

The County Administrator reported the Sheriff has requested additional funding to outsource inmates to other jail facilities in order to eliminate some of the over crowding in the current jail. Due to the increase in the average census of inmates at the Montgomery County Jail, the Sheriff believes outsourcing of inmates is necessary. The inmate population has significantly increased over the past ten years, especially within the past two years. In 2006, the County Jail housed an average of 178 inmates per day.

Plans are in place to address this issue in the long term. Participation in the Western Virginia Regional Jail Authority is estimated to begin in March 2009. In the short term, the Home Electronic Monitoring (HEM) program is reducing the number being housed by providing alternatives to incarceration. It is estimated that 20 inmates will be participating in the HEM program while the second phase is implemented.

The Sheriff is requesting funds to outsource 42 inmates to another facility. At an estimated \$28 per day, 42 inmates would cost \$1,176 per day or \$36,000 per month.

The County Administrator reported at this time, funding to outsource 20-25 inmates is recommended pending full implementation of other alternatives, such as the HEM. With the full implementation of the HEM and outsourcing up to 25 inmates, the Sheriff's goal of outsourcing 42 inmates would be met.

If 20-25 inmates are outsourced, the fiscal impact could range from \$17,000 to \$21,000 per day. Between now and the opening of the regional jail in 2009, annual costs are estimated to be \$417,000 to \$521,500.

BOARD MEMBERS' REPORT

Supervisor Biggs addressed the Board's agenda format regarding Public Address. She expressed concerns with the length of public hearings at times, which causes citizens who want to speak during public address to speak late at night. Supervisor Biggs also expressed interest in receiving public comment on the budget differently in the future.

Special Board Meetings – Public Address

Supervisor Biggs asked if special called meetings could be handled the same as regular meetings and add a public address time on the agenda to allow citizens to address the Board.

School Board

Supervisor Biggs reported that the School's Facilities Director provided a report to the School Board regarding the Old Blacksburg Middle School. Apparently, the school roof needs replacing over the gym. If not repaired or replaced, this will cause problems in the future and will cause further deterioration of the school. He asked direction on this issue.

The School Board also approved using the sale proceeds from the old Bethel Elementary School to provide air conditioning in all county schools.

Supervisor Muffo attended the annual "Take Back the Night" event that was held at Virginia Tech. The Board recently adopted a proclamation in support of this event, which was read that night.

Supervisor Spradlin reported that the Montgomery County Sheriff's Office was participating in the deputies working for tips at O'Charleys Restaurant to benefit the annual torch run for Special Olympics.

ADJOURNMENT

On a motion by Gary D. Creed, seconded by John A. Muffo and carried unanimously, the Board adjourned to Monday, April 16, 2007 at 7:30 p.m.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	James D. Politis
Gary D. Creed		
Doug Marrs		
John A. Muffo		
Annette S. Perkins		
Steve L. Spradlin		

The meeting adjourned at 10:32 p.m.

APPROVED:_____	ATTEST:_____
Steve L. Spradlin	B. Clayton Goodman, III
Chair	County Administrator